

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MELISSA COURY,
personal representative of the Estate of
RAYMOND COURY,

Plaintiff,

v.

CBS CORPORATION,
a Delaware corporation, sued as successor by
merger with CBS Corporation, *f/k/a*
VIACOM, INC., f/k/a WESTINGHOUSE
ELECTRIC CORPORATION, successor-in-interest to **BF STURTEVANT**;
CH MURPHY/CLARK-ULLMAN, INC.,
an Oregon corporation;
FOSTER WHEELER, LLC,
a New York corporation;
FRASER'S BOILER SERVICE, INC.,
a Washington corporation, individually and as
successor-in-interest to **FRASER BOILER**
WORKS;
GENERAL ELECTRIC COMPANY,
a New York corporation;
INGERSOLL-RAND COMPANY,
a New Jersey corporation;
MAR-DUSTRIAL SALES, INC.,
an Oregon corporation; and
WARREN PUMPS, LLC.,
successor-in-interest to **WARREN PUMPS**,
INC., **QUIMBY PUMPS CO.**, and
WARREN STEAM PUMPS CO.,

Case No. 3:19-cv-01277-MO
OPINION AND ORDER OF REMAND

Defendants.

MOSMAN, J.,

I hold that Defendant Foster Wheeler LLC does not have standing to bring a federal contractor defense pursuant to 28 U.S.C. § 1446(b) and therefore has not asserted proper grounds for removal. Plaintiff's Motion to Remand [5] is GRANTED. It is ORDERED that the above-captioned matter be REMANDED to the Multnomah County Circuit Court. Plaintiff's pending Motion for Imposition of Sanctions [11] is DENIED AS MOOT.

IT IS SO ORDERED.

DATED this 14 day of November, 2019.



MICHAEL W. MOSMAN
Chief United States District Judge